

REMARKS

Favorable reconsideration and allowance of the present application is respectfully requested.

Currently, claims 38-76, including independent claims 38, 55, and 65, are pending in the present application. Independent claim 38, for instance, is directed to a method for forming an elastomeric glove. The method comprises dipping a hand-shaped former into at least one bath containing an elastomeric material to form a substrate body. A hydrogel coating and a lubricant coating are applied to the outer surface of the substrate body while the inner surface of the substrate body remains adjacent to the hand-shaped former. The hydrogel coating has a thickness of from about 0.1 to about 20 micrometers and the lubricant coating comprises a silicone emulsion. Thereafter, the glove is stripped from the hand-shaped former without the use of an antiblocking powder. The glove is inverted so that the outer surface of the substrate body is configured to face a user's hand when inserted into a hand-shaped cavity.

In the Office Action, previous dependent claims 13-14, the limitations of which have now been incorporated into independent claims 38, 55, and 65, were rejected under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2004/0096686 to Teoh, et al. in view of U.S. Patent No. 5,284,607 to Chen. Teoh, et al. is directed to a neoprene article that is formed by dipping a former into a neoprene or neoprene copolymer latex. Certain types of anionic anti-tack agents are employed to reduce the tack of the article. In one embodiment, the neoprene latex-coated former is primed by dipping into dilute acid, rinsed and dried, and then dipped into a hydrogel latex. A

surfactant material may then be applied to the article by tumbling in a solution. As correctly noted by the Examiner, however, Teoh, et al. fails to disclose certain aspects of the present claims. For instance, Teoh, et al. fails to disclose the application of a lubricant coating containing a silicone emulsion to the outer surface of the substrate body while the inner surface of the substrate body remains adjacent to the hand-shaped former.

Nevertheless, the Office Action cited Chen in combination with Teoh, et al. in an attempt to render obvious previous claims 13-14. Chen is directed to a process for making a powder-free glove that includes (i) dipping a former into a coagulant; (ii) dipping the former into an elastomer; (iii) dipping the former into an antiblocking composition; (iv) curing; and (v) dipping the former into a silicone emulsion. Once formed, the glove is then removed and inverted so that the first layer is on the outside of the glove. The glove is then treated with an acid to dissolve the acid-soluble powder, treated with a bleach (i.e., chlorinated), treated with a silicone emulsion, and dried. The Office Action asserted that it would have been obvious to use the silicone emulsion dip-coating step of Chen in Teoh, et al. because "maintaining the form on the former would provide an easy and uniform method of coating a lubricant onto a glove, and would also provide improved donningability."

However, the combination proposed in the Office Action would contradict the express teachings of both references. Teoh, et al., for instance, describes a "conventional" multi-dipping process that involves (i) dipping a former into a surfactant slurry, powder, and silicone; (ii) curing; (iii) stripping and inverting the glove; and (iv) chlorinating. Teoh, et al. notes that this conventional multi-dipping process is

“complicated” and “time-consuming”, and has the “serious disadvantage of requiring chlorination which is both expensive and can potentially have deleterious effects on the properties of the finished glove.” (¶ 003). The invention of Teoh, et al. is said to avoid these significant disadvantages without resorting to the conventional method of chlorination. (See e.g., ¶ 006). Notably, this disadvantageous, conventional process is similar to Chen, which also requires multiple complicated and time-consuming dipping steps, and even expressly requires chlorination.

The opposing teachings of Chen and Teoh, et al. do not end here. As correctly noted by the Examiner, an essential feature of Teoh, et al. is the use of a hydrogel layer to reduce tackiness. In stark contrast, Chen expressly teaches away from elastomeric articles with such a construction, noting that they are not capable of achieving adequate donnability. (Col. 1, ll. 47-54). Thus, the express teachings of Teoh, et al. and Chen are clearly opposite and teach away from each other. For at least this reason, no objective motivation would have existed for one of ordinary skill in the art to combine the references in the manner proposed in the Office Action.

Even if one were to ignore the vast differences between Teoh, et al. and Chen, however, no motivation would still have existed for modifying Teoh, et al. as suggested in the Office Action. For example, although Chen does include a step in which a silicone emulsion is dip-coated onto a glove layer, Chen itself teaches away from the use of this step. Namely, because subsequent processing may remove the silicone from the glove surface, Chen requires a second silicone treatment process after the glove is stripped. (Col. 4, ll. 45-54). In light of the above, one of ordinary skill in the art would simply not have selectively chosen the “pre-stripping” silicone dip-coating step for

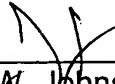
combination with Teoh, et al. as Chen itself indicates that the silicone applied in this step may be subsequently removed. If anything, one of ordinary skill in the art would have instead chosen the “post-stripping” silicone application step, as already described in Teoh, et al. Thus, for at least the reasons set forth, Applicants respectfully submit that independent claim 38, 55, and 65 patentably define over the cited references.

The Office Action also rejected several of the previous claims under the judicially created doctrine of obviousness-type double patenting in view of co-pending and co-owned U.S. Application Serial No. 10/733,172. Without commenting on the propriety of this rejection, Applicants are submitting herewith a terminal disclaimer to obviate this rejection.

It is believed that the present application is in complete condition for allowance and favorable action, is therefore requested. Examiner Daniels is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully requested,
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